



PLANNING COMMISSION SUMMARY OF ACTIONS

This does not represent an official transcript of the Planning Commission Meeting and is subject to minor change.

SMD

July 28, 2005

Page 1

PRESENT: Commissioners Alcorn, Byers, de la Fe, Harsel, Hall, Hart, Hopkins, Koch, Lawrence, Lusk, Murphy, Wilson

ABSENT: None

//

The meeting was called to order at 8:16 p.m. by Chairman Peter F. Murphy, Jr.

//

COMMISSION MATTERS

Chairman Murphy noted that the Planning Commission would be on recess in August and he added that public hearings would resume on Wednesday, September 14, 2005. He conveyed his thanks to staff and wished everyone a good summer.

//

Commissioner Alcorn noted that the Environment Committee would meet with the Environmental Quality Advisory Council on Wednesday, September 14, 2005 at 7:00 p.m., in the Board Conference Room to discuss stream protection strategies.

//

Commissioner Lusk MOVED TO DEFER THE PUBLIC HEARING ON SE 2005-LE-011, JENNINGS MOTOR COMPANY, INC., TO A DATE CERTAIN OF SEPTEMBER 15, 2005.

Commissioners Byers and Lawrence seconded the motion which carried unanimously.

//

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON SE 2005-LE-018, BRANCH BANKING & TRUST COMPANY OF VIRGINIA, TO A DATE CERTAIN OF SEPTEMBER 22, 2005.

Commissioners Byers and Lawrence seconded the motion which carried unanimously with Commissioner Hart not present for the vote.

//

Commissioner Byers MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARINGS ON RZ/FDP 2004-MV-041 AND SE 2004-MV-035, MADISON HOMES INCORPORATED HUNTINGTON LLC, TO A DATE CERTAIN OF OCTOBER 6, 2005.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Harsel not present for the vote.

//

Commissioner Koch MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON 2232-Y04-19, NEXTEL COMMUNICATIONS OF THE MID-ATLANTIC, INC., TO A DATE CERTAIN OF OCTOBER 20, 2005.

Commissioner Byers seconded the motion which carried unanimously.

//

FS-B05-16 - VERIZON WIRELESS, 9525 Little River Turnpike

Commissioner Harsel MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FS-B05-16.

Commissioner Byers seconded the motion which carried by a vote of 10-0-2 with Commissioners Alcorn and Murphy abstaining.

//

RZ 2003-PR-026 - ELM STREET DEVELOPMENT, INC., AND JCE, INC.
FDP 2003-PR-026 - ELM STREET DEVELOPMENT, INC., AND JCE, INC.
PCA 76-P-118 - ELM STREET DEVELOPMENT

(Decisions Only – Public Hearings held on June 1, 2005)

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2003-PR-026 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO PROFFERS DATED JULY 27, 2005 AND AS AMENDED JULY 28, 2005.

Commissioner Lusk seconded the motion which carried by a vote of 11-0-1 with Commissioner Byers abstaining.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE PCA 76-P-118.

Commissioners Hall and Lusk seconded the motion which carried by a vote of 11-0-1 with Commissioner Byers abstaining.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2003-PR-026, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MARCH 19, 2005, AND SUBJECT TO THE BOARD'S APPROVAL OF RZ 2003-PR-026 AND THE CONCEPTUAL DEVELOPMENT PLAN.

Commissioners Hall and Lusk seconded the motion which carried by a vote of 11-0-1 with Commissioner Byers abstaining.

//

RZ 2004-PR-024 - ANTHONY DEVELOPMENT LTDFDP 2004-PR-024 - ANTHONY DEVELOPMENT LTD

(Decisions Only – Public Hearings held on March 23, 2005)

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS DENIAL OF REZONING APPLICATION RZ 2004-PR-024 TO REZONE THE SITE TO THE PDH-4 DISTRICT.

Commissioners Alcorn and Lusk seconded the motion which carried by a vote of 9-0-3 with Commissioners Byers, Hall, and Murphy abstaining.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION DENY FDP 2004-PR-024.

Commissioner Lusk seconded the motion which carried by a vote of 9-0-3 with Commissioners Byers, Hall, and Murphy abstaining.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF REZONING APPLICATION RZ 2004-PR-024 TO REZONE THE SITE TO THE R-3 DISTRICT, SUBJECT TO PROFFERS DATED JULY 26, 2005.

Commissioner Lusk seconded the motion which carried by a vote of 9-0-3 with Commissioners Byers, Hall, and Murphy abstaining.

//

SEA 2002-PR-017 - CAPITAL ONE BANK

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 2002-PR-017, SUBJECT TO THE DEVELOPMENT CONDITIONS NOW DATED JULY 27, 2005.

Commissioner Hall seconded the motion which carried unanimously.

//

SEA 01-L-024 - KINGSTOWNE TOWNE CENTER, LP

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 01-L-024, SUBJECT TO THE DEVELOPMENT CONDITIONS WHICH ARE NOW DATED JULY 28, 2005.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioner Murphy not present for the vote.

//

SE 2005-LE-013 - FEDERAL REALTY PARTNERS, LP

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2005-LE-013, SUBJECT TO DEVELOPMENT CONDITIONS THAT ARE NOW DATED JULY 28, 2005, WITH CONDITIONS 9 AND 10 REVISED AS FOLLOWS:

- REVISE CONDITION 9 BY REPLACING THE WORDS “NO SIGN SHALL MOVE” WITH THE WORDS “NO SIGN SHALL HAVE ANY MOVEABLE PARTS”; AND
- REVISE CONDITION 10 TO INCLUDE LANGUAGE ALLOWING FOR IDENTIFICATION OF THE MT. VERNON SHOPPING CENTER AS WELL AS THE TENANTS.

Commissioner Wilson seconded the motion which carried by a vote of 8-1-2 with Commissioner Murphy not present for the vote; Commissioner Byers voting no; Commissioners Harsel and Lawrence abstaining.

//

RZ 2004-LE-021- LANDMARK PROPERTY DEVELOPMENT, LLC
FDP 2004-LE-021 - LANDMARK PROPERTY DEVELOPMENT, LLC

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF RZ 2004-LE-021 AND CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE PROFFERS NOW DATED JULY 27, 2005.

Commissioners Hall and Lawrence seconded the motion which carried by a vote of 11-1 with Commissioner Wilson voting no.

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2004-LE-021, SUBJECT TO DEVELOPMENT CONDITIONS CONTAINED IN THE STAFF REPORT AND APPROVAL BY THE BOARD OF REZONING RZ 2004-LE-021.

Commissioners Hall and Lawrence seconded the motion which carried by a vote of 11-1 with Commissioner Wilson voting no.

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE SERVICE DRIVE REQUIREMENT ALONG RICHMOND HIGHWAY BE WAIVED.

Commissioners Hall and Lawrence seconded the motion which carried unanimously.

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE COMPREHENSIVE PLAN REQUIREMENT FOR DEDICATION OF RIGHT-OF-WAY AND FRONTAGE IMPROVEMENTS ALONG RICHMOND HIGHWAY BE MODIFIED TO THAT SHOWN ON THE CDP/FDP.

Commissioners Hall, Koch, and Lawrence seconded the motion which carried by a vote of 11-1 with Commissioner Wilson voting no.

Commissioner Lusk MOVED THE PLANNING COMMISSION RECOMMEND THAT THE RICHMOND HIGHWAY STREETSCAPE AND TRAIL REQUIREMENTS BE MODIFIED TO THAT SHOWN ON THE CDP/FDP.

Commissioners Hall and Lawrence seconded the motion which carried by a vote of 11-1 with Commissioner Wilson voting no.

Commissioner Lusk MOVED THE PLANNING COMMISSION RECOMMEND THAT PARAGRAPH 5D OF SECTION 2-802, WHICH REQUIRES AFFORDABLE DWELLING UNITS BE OF THE SAME UNIT TYPE AS THE MARKET RATE UNITS, BE WAIVED.

Commissioner Lawrence seconded the motion which carried by a vote of 10-0-2 with Commissioners Byers and Hall abstaining.

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION RECOMMEND THE 600 FOOT MAXIMUM LENGTH REQUIREMENT FOR PRIVATE STREETS BE WAIVED.

Commissioner Lawrence seconded the motion which carried by a vote of 11-1 with Commissioner Wilson voting no.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THE 200 SQUARE FOOT PRIVACY YARD REQUIREMENT FOR SINGLE FAMILY ATTACHED DWELLINGS BE WAIVED.

Commissioner Lawrence seconded the motion which carried by a vote of 11-0-1 with Commissioner Byers abstaining.

Commissioner Lusk MOVED THE PLANNING COMMISSION RECOMMEND THAT THE REQUESTED VARIANCE OF THE LIMITATION ON FENCE HEIGHT IN THE FRONT YARD PURSUANT TO SECTION 16-401 BE GRANTED IN ORDER TO PERMIT THE PROPOSED WALL ALONG RICHMOND HIGHWAY TO BE UP TO SIX FEET IN HEIGHT.

Commissioner Lawrence seconded the motion which carried unanimously.

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT PFM SECTION 6-0303.8 BE WAIVED TO PERMIT THE USE OF AN UNDERGROUND WATER QUALITY CONTROL FACILITY IN A RESIDENTIAL AREA, SUBJECT TO WAIVER #8972-WPFM-001-1 CONDITIONS DATED JULY 1, 2005 AND CONTAINED IN THE STAFF REPORT.

Commissioner Lawrence seconded the motion which carried by a vote of 11-1 with Commissioner Harsel voting no.

//

The meeting was adjourned at 11:28 p.m.
John R. Byers, Vice Chairman